

### REMARKS

Prior to the present amendment, claims 2-17 were pending in the application. Claims 2-17 have been rejected. Claims 10, 11, 13, and 15 have been amended herein. Claim 2 has been canceled, and no claims have been added. Accordingly, following the entry of the present amendment, claims 3-17 will be pending in the application.

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Claims 2-17 have been rejected under 35 U.S.C. §102(b) as being disclosed by U.S. Patent No. 5,689,698 to Jones et al. (hereinafter "the '698 patent"). Claim 2 has been canceled, and independent claims 10, 11, 13, and 15 have been amended.

Independent claim 10 is directed to a computer structure for use in the storage of blocks of data comprising, among other things: a network attached storage device having a storage device operating system with a block storage device processor that is capable of: (a) receiving, from said storage device network interface, a network command of a set of network commands that is interface independent relative to block data storage devices, said set of network commands including a read command for use in causing at least one block of data stored on a recording medium of a block data storage device to be read, said read command including a unique block address within the block data storage device; (b) generating, to carry out said network command, one or more device specific commands for a block data storage device; (c) transmitting each of said one or more device specific commands to said block storage device interface; (d) receiving, from said block storage device interface, a response to said one or more device specific commands that satisfies the network command; and (e) transmitting, to said storage device network interface, said response to said network command.

It is respectfully submitted that the '698 patent does not anticipate the invention set forth in claim 10. The '698 patent is directed to a method and apparatus for providing access to object and relational databases through a single user interface. As illustrated in Fig. 2 and described at column 3, line 48 through column 4, line 24, the '698 patent discloses a client interface (202) which receives a search query from a user. The client interface translates commands from the client into a form suitable for a federated coordinator (206), which facilitates various database queries. Importantly, the client interface, and federated coordinator, communicate with various

network commands which are related to database queries using database applications, and not related to specific blocks of data within block data storage devices.

The '698 patent contains no teaching of a network attached storage device as claimed. More specifically, the '698 patent contains no disclosure of a network attached storage device having a storage device operating system with a block storage device processor that is capable of receiving a network command of a set of network commands that is interface independent relative to block data storage devices, the set of network commands including a read command for use in causing at least one block of data stored on a recording medium of a block data storage device to be read, the read command including a unique block address within the block data storage device. Based on the foregoing, it is submitted that claim 10 is patentable over the cited reference.

Independent claim 11 is directed to a computer structure for use in the storage of blocks of data comprising, among other things: a host computer with respect to which a network attached storage device is considered remote, the host computer having a host operating system with a host block storage device processor that is capable of: (a) receiving, from an application executing on a host computer, a file command; (b) translating a file command into a network command of a set of network commands that is interface independent relative to block data storage devices, the set of network commands including a read command for use in causing at least one block of data stored on a recording medium of a block data storage device to be read, the read command including a unique block address within the block data storage device; (c) transmitting the network command to the host network interface for conveyance over a network infrastructure according to a packet protocol; (d) receiving a response to a previously transmitted network command from the host network interface; and (e) transmitting, if appropriate, the response to the application as at least a partial reply to the file command.

It is respectfully submitted that the '698 patent does not anticipate the invention set forth in claim 11. As discussed above, the '698 patent is directed to a method and apparatus for providing access to object and relational databases. The '698 patent contains no teaching of a host computer with respect to which a network attached storage device is considered remote, the host computer having a host operating system with a host block storage device processor that is capable of receiving, from an application executing on a host computer, a file command;

translating a file command into a network command of a set of network commands that is interface independent relative to block data storage devices, the set of network commands including a read command for use in causing at least one block of data stored on a recording medium of a block data storage device to be read, the read command including a unique block address within the block data storage device; transmitting the network command to the host network interface for conveyance over a network infrastructure according to a packet protocol; receiving a response to a previously transmitted network command from the host network interface; and transmitting, if appropriate, the response to the application as at least a partial reply to the file command. Based on the foregoing, it is submitted that claim 11 is patentable over the cited reference.

Claims 3-9 and 12 are dependent claims that each depend directly or indirectly from independent claims 10 or 11. Consequently, each of these claims is at least allowable for the reasons noted with respect to independent claims 10 or 11. Each of these claims may also be patentable for other reasons, and the applicants reserve the right to assert any such reasons in the future.

Independent claim 13 is directed to a computer structure comprising, among other things, a host computer with respect to which a network attached storage device is considered remote, said host computer comprising: a host network interface for transmitting/receiving communications to/from a network infrastructure according to a packet protocol; a host operating system with a host block storage device processor that is capable of: (a) receiving, from an application executing on a host computer, a file command; (b) translating a file command into a network command of a set of network commands that is interface independent relative to block data storage devices, said set of network commands including a read command for use in causing at least one block of data stored on a recording medium of a block data storage device to be read, said read command including a unique block address within the block data storage device; (c) transmitting said network command to the host network interface for conveyance over a network infrastructure according to a packet protocol; (d) receiving a response to a previously transmitted network command from said host network interface; and (e) transmitting, if appropriate, a response to the application as at least a partial reply to the file command.

It is respectfully submitted that the '698 patent does not anticipate the invention set forth in claim 13. As discussed above, the '698 patent is directed to a method and apparatus for providing access to object and relational databases. Similarly as described above with respect to claim 11, the '698 patent contains no teaching of a host computer as claimed. Based on the foregoing, it is submitted that claim 13 is patentable over the cited reference.

Claim 14 depends from independent claim 13. Consequently, this claim is at least allowable for the reasons noted with respect to independent claim 13, and may also be patentable for other reasons. The applicants reserve the right to assert any such reasons in the future.

Independent claim 15 is directed to a computer structure comprising: a host computer that is remotely located relative to a network attached storage device and comprising: a host network interface for transmitting/receiving communications to/from a network infrastructure according to a packet protocol; a host operating system with a host block storage device processor that is capable of: (a) receiving, from an application executing on a host computer, a file command; (b) translating a file command into a network command of a set of network commands that is interface independent relative to block data storage devices, said set of network commands including a read command for use in causing at least one block of data stored on a recording medium of a block data storage device to be read, said read command including a unique block address within the block data storage device; (c) transmitting said network command to said host network interface for conveyance over a network infrastructure according to a packet protocol; (d) receiving a response to a previously transmitted network command from said host network interface; and (e) transmitting, if appropriate, said response to the application as at least a partial reply to the file command.

It is respectfully submitted that the '698 patent does not anticipate the invention set forth in claim 15. As discussed above, the '698 patent is directed to a method and apparatus for providing access to object and relational databases. Similarly as described above with respect to claims 11 and 13, the '698 patent contains no teaching of a host computer as claimed. Based on the foregoing, it is submitted that claim 15 is patentable over the cited reference.

Claims 16-17 depend, directly or indirectly, from independent claim 15. Consequently, each of these claims is at least allowable for the reasons noted with respect to independent claim

15. Each of these claims may also be patentable for other reasons, and the applicants reserve the right to assert any such reasons in the future.

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Submitted herewith is a Request for Extension of Time, requesting an extension of one month to respond to the Office Action mailed on January 21, 2004, along with a check in the amount of \$55.00 as payment for the extension fee. Please credit any overpayment or debit any underpayment to Deposit Account No. 08-2623.

No claim related fees are believed to be due with this response. In the event any such fees are due, please debit Deposit Account 08-2623.

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The application now appearing to be in form for allowance, reconsideration and allowance thereof is respectfully requested.

Respectfully submitted,

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